

Fred Sullivan
Chairman

Janine L. Burke
Executive Director



Scott Avedisian
Mayor

Warwick Sewer Authority
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Warwick, RI 02886
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Board Meeting Minutes
Thursday, May 26, 2011, 5:30 p.m.
Warwick Sewer Authority Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

Board Members in attendance:	Guests:
Fred Sullivan, Chairman	Sofiya Rudayev, 239 Kirby Avenue
Aaron Guckian, Secretary	Attorney Richard Johnston
Gary Jarvis	Attorney Mark McKenney
Steven Sylven, P.E.	Attorney Mal Salvatore
Peter Ginaitt	Stephen Fortier, 228 Palace Avenue
	Lucy Watson-Baker, 313 Squantum Drive
	Joanne Gregory, 94 Montgomery Street
	Chris & Robin Neale, 21 Centennial Street
	Dennis Setzko, P. E., AECOM
	Eric Meserve, P.E., AECOM
	Councilwoman Camille Vella-Wilkinson
Staff present:	
Janine L. Burke, Executive Director	John Revens, Legal Counsel
Joel F. Burke, Superintendent	Lynda Ortiz, Customer Service Manager
Lynn F. Owens, Administrative Coordinator	

1. Call to Order At 5:36 p.m. Chairman Sullivan called this meeting to order.

2. Approval of Minutes

a. Approval of minutes from the regular meeting held April 21, 2011.

ACTION: Mr. Guckian moved to approve the minutes. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Mr. Jarvis unavailable for vote. Motion approved.

3. Billing Services Division

a. Proposed Sewer Usage Rate Schedule and Fee Structure

ACTION: Adoption of sewer usage rate schedule and fee structure for FY 2012-FY 2016

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Director Burke stated a Public Hearing was held last Thursday which focused on B&E Consulting's Alternative #1 recommendation. She said that Ms. Owens just completed the compilation of comments received but the majority of Board members were there to hear them. She said we need to move ahead with implementing the Rate Study as soon as possible because there is lead time required for making changes to the billing system. She stated we have worded the resolution to require that we review the model every year to ensure accuracy and make necessary revisions, up or down, during the 5-year study period.

Mr. Guckian stated having spoken with Councilman Colantuono, and with Councilwoman Vella-Wilkinson here tonight, he was hoping that one of the council people puts in legislation for a connect capable fee so we can see an up and down vote and talk about the merits of the fee. He said he hoped Mr. Ginaitt and Mr. Revens could help craft legislation that will be most effective. He stated this would make it more equitable for all ratepayers.

Director Burke said she would be happy to work on that, but it will not happen in time for our next billing cycle. She stated if we are able to get the connect capable fee, we could more quickly repay the general fund.

Mr. Ginaitt suggested we move away from looking at the connect capable fee as a revenue stream and focus more on the equity for our ratepayers. He stated if you are going to justify this to the Council, then you need to provide them with the data that identifies those in their ward that are connected and those that are not connected. He said give them the ammunition to respond to those that will question the fee.

Mr. Sylven stated he may need clarification on the factor applied when determining the rate that takes into account that only 85% of water consumption actually makes its way into the sanitary sewer system. Director Burke stated that is correct for residential properties. Mr. Sylven suggested it may be worthwhile to put a caveat on the Resolution that explains that factor. Director Burke stated we will add to the resolution a statement that all fees, rates and charges are based on 100% of water consumption with a factor for residential rates to account for water that is not returned to the sewer system.

Mr. Jarvis moved to accept the rate schedule and fee structure (Alternative #1) as proposed by the rate consultant. Mr. Sylven stated subject to an explanation of the 100% water consumption added to the resolution. Mr. Ginaitt seconded the motion incorporating Mr. Sylven's suggestion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

- b. FY 2011-2012 Budget 80: Operations, Maintenance and Administration**
ACTION: Updated budget presented to the Board

Director Burke stated the WSA FY12 budget has been printed and will be presented to the City Council on June 2nd. She stated that due to the operations of the MUNIS accounting software, the budget gap (which we call the budget adjustment line item) appears as a reduction in expenses to \$19.2 Million whereas she has show the budget adjustment as revenues to be made up by rate increases. She said that she preferred this method of accounting because we have actual expenses of \$20 Million, not \$19.2 Million, but that is the number that is being presented to the City Council.

The Board discussed the WSA budget process. Mr. Revens said there is an obligation as a public entity to hold a public hearing to review the proposed budget with ratepayers, prior to adopting it and presenting it to the Council. This will be considered for the FY13 budget.

- c. Ms. Sofiya Rudayev, 239 Kirby Avenue, Plat 382 Lot 0119, to appeal the sewer assessment on her property**

ACTION: Director Burke stated that she had met and spoken with Ms. Rudayev several times. She stated she has a property on Kirby Avenue that was assessed using the acreage formula so she is eligible for a deferment and can pay on 150 feet of frontage until the 20th year when the balance will become due and payable. Ms. Burke said this was communicated to Ms. Rudayev, as well as the other property owners in that project area with lots over an acre, several of which have already appeared before the Board to request deferrals. Director Burke stated she believed Ms. Rudayev is asking for something above-and-beyond the 20-year deferral but would let her present her case.

Ms. Rudayev stated she considers the lot unbuildable because the zoning in the area is A-40; nothing can be done with the extra land. She stated there are also wetlands on the property. She stated her objection to the assessment.

Director Burke stated Ms. Rudayev would have to present evidence of wetlands, which she had discussed with her. She stated the sewer assessment committee is looking at this with respect to the zoning model, but our current regulations require the use of the acreage formula for her lot assessment. She stated if evidence of wetlands is presented, an abatement can be considered by the Board.

Mr. Ginaitt stated we have been looking at a more equitable assessment method, unfortunately, the General Assembly has dictated to us what our enabling legislation is. He said we don't necessarily agree with that, but it is our governing legislation; we can't deviate from that.

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Ms. Rudayev was advised that a biologist's report is required to document the existence of wetlands on the property, and a survey is required delineating the square footage of the wetlands area (if the square footage of the wetlands area reduces the total assessable area to below an acre, the property could be assessed on frontage). No action taken.

- d. Attorneys Richard Johnston and Mark McKenney to appear on behalf of the Buttonwood Beach Association to request an abatement of sewer assessment for Plat 374 Lot 17, Buttonwoods Avenue, Warwick, due to a conservation easement

ACTION: Director Burke stated this is a request that came to us because of the property owners' intent not to develop the property and leave it as open space. Mr. Revens stated he did not do a title search on this property; he does not know who owns the property. Attorneys Rick Johnston, Mark McKenney and Mal Salvatore (representing the Merlino family) discussed the ownership of the property.

Mr. Revens asked the attorneys to provide something in writing on the ownership of the parcel. Mr. Revens suggested that the Board could approve the abatement subject to the deed being in the format that satisfies legal counsel.

Mr. Ginaitt made a motion to abate pursuant to counsel's recommendation and satisfaction with the appropriate documentation to support this claim. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

e. Sewer Assessment Deferment

Name	Year	Address	Reason
House of Hope CDC	11	26 Haswill Street, Plat 361 Lot 0300	Non-profit
House of Hope CDC	11	36 Haswill Street, Plat 361 Lot 0299	Non-profit
House of Hope CDC	5	159 Winter Avenue, Plat 332 Lot 0480	Non-profit
Sofiya Rudayev	1	239 Kirby Avenue, Plat 382 Lot 0119	Single family; 1.36 acres

ACTION: Mr. Guckian moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

f. Sewer Assessment Abatement

Name	Service Address	Reason	Amount
Harbor View Holding Company, LLC	150 Gray Street Plat 378 Lot 157	Per agreement and resolution: open space restrictions, connection to sewers, assess upon development	\$293,745.41

ACTION: Mr. Guckian moved approval. Mr. Ginaitt seconded the motion. Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

- g. Regulation No. 53 On-Site Grant Funds: Appeal of denial of funds**
Stephen & Kelley Fortier, Plat 344 Lot 322, 228 Palace Avenue, Warwick

ACTION: Director Burke stated funding for the on-site program has been expended. She stated this application was filed prior to the loss of funds. She said this property is in the Greenwood East project area (not in the RIAC buyout area) which is in our Facilities Plan but remains unsewered. Director Burke suggested the Board consider approving the application pending identification of a funding source. She said the Fortiers have installed a new system.

The Board discussed funding options. Mr. Jarvis moved approval of this on-site grant pending the identification of funds. Mr. Sylven seconded the motion. Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

- h. Regulation No. 53 On-Site Grant Funds: Appeal of denial of funds**
Lucy Watson-Baker, Plat 307 Lot 265, 313 Squantum Drive, Warwick

ACTION: Director Burke stated this property is in the Governor Francis Phase 3 project area which is in our Facilities Plan but remains unsewered. Lucy Watson-Baker stated she had a failed system and has installed a new septic system (paid in full). Mr. Guckian moved approval pending identification of funds. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

- i. Regulation No. 53 On-Site Grant Funds: Appeal of denial of funds**
Joanne P. Gregory, Plat 257 Lot 205, 94 Montgomery Street, Warwick

ACTION: Director Burke stated this property is in the Northwest Gorton Pond project area which is in our Facilities Plan but remains unsewered. Ms. Gregory stated she had already installed and paid for the new system. Mr. Jarvis moved approval pending identification of funds. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

- j. Regulation No. 53 On-Site Grant Funds: Chris and Robin Neale, Plat 246 Lot 280, 21 Centennial Street, to request grant funds to assist in the upgrade of their current onsite waste disposal system.**

ACTION: Director Burke stated this property is in the Northwest Gorton Pond project area which is in our Facilities Plan but remains unsewered. Mr. Sylven suggested this grant be held in abeyance until the system is installed and inspected. Mr. Jarvis moved approval pending identification of funds and certificate of compliance from DEM on the installation of the new system. Mr. Sylven added that proof of payment for the new system

is required. Mr. Guckian seconded the motion with the caveat of proof of payment. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

4. Operation and Maintenance Division

- a. Facilities Plan Amendment & Energy Savings Measures**
Dennis Setzko, P.E., AECOM, to submit progress report

ACTION: Mr. Dennis Setzko provided the Board with a progress report and timeline on the Facilities Plan Amendment project tasks. Mr. Eric Meserve spoke about the results of the jar testing. He said pilot testing will begin June 6th and runs for three weeks.

A tour of the pilot testing process is planned for June 16th from 5:30 p.m. to 6:00 p.m. The Board meeting will begin at 6:00 p.m.

Mr. Setzko stated AECOM was approached by another micron filter manufacturer asking that we test their product (at no cost to WSA). He said it is an opportunity to see if their product performs in reducing the phosphorous level, especially since the capital costs could be considerably less. Mr. Meserve stated this testing will be done in conjunction with the planned pilot testing.

- b. Award of Bid: Bid #2012-3 Wastewater Treatment Chemicals**

ACTION: Director Burke stated this is our annual bid for chemicals; the Superintendent prepared the recommendation memo for the Board's review and consideration. Superintendent Joel Burke stated each recommended vendor is the low bidder. He said the polymer chemical bids will be referred to next month's meeting; bench trials must be conducted. He said pricing has increased due to the uncertainty in the energy market. Director Burke stated award of contract will be effective July 1st.

Mr. Guckian moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

5. March 30, 2010 Pawtuxet River Flooding

- a. Financial Report of Flood Expenses**

Superintendent Burke stated the insurance company confirmed that the \$10 million cap has been reached. He said now we move to other funding sources, including the \$1 million grant from the RI Department of Administration Office of Energy Resources and FEMA. Superintendent Burke stated remaining work by Hart Engineering includes installation of

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security cameras, activation of fire alarm systems and security swipe cards for gate and building access. He said the work with the aeration blowers should be complete by mid-summer. He estimates the overall cost will be \$12-13 million, including the Administration building, Animal Shelter, pumping stations and WWTF.

Mr. Ginaitt asked what is WSA's financial output as a result of the flood. Superintendent Burke stated FEMA will reimburse up to 90%. WSA's outlay may be a few hundred thousand dollars. Mr. Ginaitt stated at some point in time we may need to capture the overall value of the improvements that have been made, the benefit we've achieved and the savings realized as a result of this catastrophe. He said in the end we will have put out a few hundred thousand dollars in investment into millions and millions of dollars in improvements that will last for decades. Superintendent Burke stated this is a fixed asset exercise that the City requires us to do. He said he had to decommission the destroyed equipment. He said a lot of the equipment that has been replaced was at the end of its useful life, or beyond that. He said all the underground electrical equipment that was replaced at WWTF was installed in the 60's. He said the Knight Street and Bellows Street pump stations have been completely rebuilt.

b. RFP No. 2011-198 Engineering Services Including Flood Protection and Mitigation Design at the Warwick Wastewater Treatment Facility

ACTION: Director Burke provided the Board with a recommendation memo to award the contract to AECOM for \$89,000.00, which will be paid for with CDBG grant funds. Mr. Sylven moved to award the contract to AECOM for \$89,000.00. Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

6. February 8, 2011 Cedar Swamp Sewer Line Break

- a. Project Update**
 - i. Construction Activity Report
 - ii. Financial Report

Superintendent Burke stated the insurance company has been agreeable to paying for the three pumps that were compromised during the line collapse at Cedar Swamp. He said for the first twenty-four hours we had to keep the pumps running, isolating them to clean rocks and silt out before firing them up again to keep sewage from flowing into Buckeye Brook. Director Burke stated the insurance company has agreed to pay the cost of rehabilitation; WSA chose to purchase one new pump and pay the difference.

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Superintendent Burke stated the Board has asked about the reason for the collapse of the 48-inch pipe. He said Cedar Swamp was installed in the mid-70's to service the entire southern half of the City. He said the design was tremendous, but very little construction took place in the mid-70's to the late 80's. He said both the Oakland Beach and Warwick Neck projects had very long runs and long detention times and we know we had a lot of hydrogen sulfides. He said the flow rates for at least ten years after the station was built had to be about 100,000 gallons per day; the station was designed for 7 million gallons a day.

Director Burke provided the Board with an updated expense report for this emergency response which totals just over \$2 Million. She stated the work is pretty much wrapped up out there, with the exception of epoxy coating of the manholes. Director Burke stated we did receive the Certificate of Approval to re-finance this project come July 1st and we plan to do that and include the installation of a new ventilation system as part of the project in order to address part of the cause of the original problem.

Mr. Sylven stated the station needs a facility needs assessment.

- b. Emergency Purchase Authorization: Cedar Swamp Station Pump #2**
AW Chesterton: \$24,403.00 (Approved by Mayor Avedisian on 4-28-11)

ACTION: Mr. Guckian moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

7. Construction Division

- a. Sewer Project Update Report**
 - i. Governor Francis Farms Phase II
 - ii. Bayside IV/Longmeadow

Director Burke stated Mathew Solitro is on vacation but had brought her up to speed on the current construction projects so she could update the Board.

She stated D'Ambra Construction continues work on the Longmeadow project, including the installation of services. She stated we will be able to open up the project in phases, with the first phase ready in about 2 to 3 weeks.

Director Burke stated on the GFII project, the installation of gas service to the Kristen Court pumping station has been completed and the electric service is not too far behind. She stated National Grid has strung all the electrical wiring but still needs to move a transformer to get that wrapped up. Director Burke stated Mat Solitro is still projecting initial start-up testing for the pump station to occur in early June. She stated on a

related note, the Spring Green Corporation has installed about 22% of the sewer piping to date. She said WSA inspectors are out there every day and things are moving right along.

8. Administrative Items

- a. Director's Report**
 - i. Financial Report
 - ii. Administrative Schedule

Director Burke reported that, as a result of federal ARRA funding we received in the past, we were eligible for EPA assistance with implementing an Effective Utility Management program here at the WSA. She stated that she provided the Board with a summary of this project as well as information on the ten attributes of highly effective utilities. She said she had just learned yesterday that WSA will be one of 15 water/wastewater systems in New England to also receive technical assistance in implementing the plan. Director Burke commented that she had no idea what the value of this free consulting assistance would be, but as far as she was concerned, it's invaluable. She stated we plan to focus on Financial Viability, Infrastructure Stability, and Stakeholder Understanding and Support. She said at some point when we are further along, she would like the EPA consultant to make a formal presentation to the Board on their findings and recommendation.

Director Burke stated June 2nd is the hearing before the City Council on the FY12 budget. She stated she will be on vacation the week of June 27th. The next Board meeting is June 16th.

- b. Chairman's Report**

Chairman Sullivan stated regarding connect capable properties, Janine gave me a listing of properties by ward. He said we will give the Council the number of properties connected and those connect capable in their wards (including those on the RIDEM cesspool phaseout listing).

- c. Sewer Assessment Committee Report**

Mr. Jarvis stated once we get past the budget reviews we can continue our work. Director Burke stated Dave Bebyn will have some time now to start looking at the proposed model.

9. Consent Agenda – Correspondence

- a.** WSA quarterly report to CRMC on MSCP (4-15-2011)
- b.** Director's report to Mayor Avedisian (4-19-2011)
- c.** WSA WWTF Flood Protection Measures (4-2011)
- d.** WSA Financial Report to City Council (5-2-11)

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- e. WSA to RIDEM requesting Certificate of Approval Cedar Swamp (5-5-11)
- f. RI OER to WSA announcing award of energy efficiency grant (5-11-11)

ACTION: Mr. Guckian moved to accept the consent agenda. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Guckian, Sylven and Jarvis voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion approved.

10. Consent Agenda - Drainlayer License Renewal (2011)

- a. Robert Furney, RI Sewer Connection, 145 Longmeadow Drive, Warwick

ACTION: Mr. Ginaitt moved approval. Following discussion of the drainlayer's work history with WSA, Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

11. Old Business

- a. WSA Deferment Policy
- b. Mandatory Sewer Connection Program
- c. Sewer Tie-In Loan Fund
- d. Amendments to By-Laws
- e. Modifications to Septage Hauling Regulations
- f. Flood Mitigation Efforts
- g. GIS Program Status

12. PUBLIC COMMENT PERIOD

Comments only may be addressed to the WSA Board who will take them under advisement.

Councilwoman Camille Vella-Wilkinson spoke with the Board about comments received by the City of Warwick Comprehensive Plan Advisory Board, of which she is an appointed member. She stated WSA may want to attend a ward open meeting, a topical workshop, or speak directly with the consultants about WSA plans and limitations. She said it may be an opportunity to education the general public. The meeting schedules can be found on the Comprehensive Plan's website.

13. Open Call for Executive Session Pursuant to RIGL 42-46-5 (a) (2)

Litigation: Buttonwood Beach Association/Buttonwood Fire District

ACTION: The Board did not go into executive session. No action taken.

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14. Adjournment

Mr. Guckian made a motion to adjourn. Mr. Sylven seconded the motion. Messrs. Guckian, Sylven and Jarvis voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion approved.

At 7:25 p.m. this meeting ended.

Aaron Guckian, Secretary

Date